

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE

STACEY RIVERA a/k/a
STACEY BLACKSTON-RIVERA a/k/a
STACEY BLACKSON

Debtor

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CHAPTER 13

CASE NO: 19-10108AMC

**CERTIFICATION OF NO RESPONSE TO DEBTOR'S MOTION
FOR APPROVAL OF LOAN MODIFICATION.**

The Debtor, through counsel, hereby avers:

1. On July 6, 2024, Debtor filed the above-captioned motion. Doc. No. 110.

2. On July 6, 2024, the Motion and Notice of Motion was served as stated in the Motion.

3. Pursuant to Local Bankruptcy Rule 9014-3(h) and Fed. R. Bank. P. 9006(f), any response to the Motion was due no later than July 23.

4. As of this date, no response has been filed to the Motion.¹

5. The Motion is treated as a contested matter under Fed. R. Bankr. P. 9014. Rule 9014(c) incorporates, inter alia, Fed. R. Bankr. P. 7055. Rule 7055, in turn, incorporates Fed. R. Civ. P. 55, governing defaults.

6. Under Rule 55, when an answer is not timely filed, the entry of default is required. See Orange Theatre Corp. v. Rayherstz Amusement Corp., 130 F.2d 185 (3d Cir. 1942) (when the defendant has failed to file a timely responsive pleading, the entry of default under Rule 55 is

¹ In this case, the subject of the motion, Midfirst Bank, has agreed to offer debtor a loan modification, but is waiting for this court's order before doing so.

ministerial); In re Antell, 155 B.R. 921, 924 (Bankr. E.D. Pa. 1992). See also Order dated 01/31/2011, In re Felder, No. 10-19112 (Doc. No. 41).

WHEREFORE, Debtor prays that the Court enter an order granting the relief requested in the Motion.

/s/ Alfonso Madrid
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